

EXHIBIT C

From: [Rosen, Marilyn B.](#)
To: [Ennis, Felicia](#); [Petts, Nicholas W.](#); [Senderowitz, Stephen J.](#); [Storino, Timothy J.](#); [Hauser, Sandra D.](#)
Cc: [Pollack, Alan](#); [Thumim, Leron](#); [Filardo, Thomas](#); [Marcucci, Matthew A.](#); [Hallinan, Meghan](#); [Lynn, Branden](#); [Manzolillo, Sandy](#); [James W. \(Wes\) Christian](#) (jchristian@christianattarlaw.com); [Ardalan Attar](#); [Gregory J. Dubinsky](#); [Andrew C. Indorf](#); [Matthew Gurgel](#); [Abby F. Rudzin Esq.](#) (arudzin@omm.com); wmartin@omm.com; SYoung@KSLAW.com; dlessner@kslaw.com; jdycus@kslaw.com; Cchoi@Kslaw.com
Subject: Re: Harrington v. CIBC - CIBC Deposition Notices
Date: Friday, May 17, 2024 7:49:48 PM
Attachments: [image002.png](#), [image003.png](#), [image004.png](#)

Felicia,

It is not an "accommodation" to take the depositions in Toronto--that is where the witnesses reside and where CIBC's principal place of business is located. As you know, CIBC does not have a US based entity in this litigation.

Despite the incredibly short notice, we provided dates within one day of those originally requested. These are the dates the witnesses are available. They are not available on the other dates you have suggested. If Harrington would prefer to take one or both depositions remotely, it may do so.

Please confirm you will proceed on the 3rd and 5th.

Thank you.
--Marilyn

Marilyn B. Rosen
Partner

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From: Ennis, Felicia <FEnnis@wbny.com>
Sent: Friday, May 17, 2024 5:34:00 PM
To: Rosen, Marilyn B. <marilyn.rosen@dentons.com>; Petts, Nicholas W. <nicholas.petts@dentons.com>; Senderowitz, Stephen J. <stephen.senderowitz@dentons.com>; Storino, Timothy J. <timothy.storino@dentons.com>; Hauser, Sandra D. <sandra.hauser@dentons.com>
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Subject: RE: Harrington v. CIBC - CIBC Deposition Notices

[WARNING: EXTERNAL SENDER]

We are unavailable on June 3 to conduct a deposition in Toronto. As previously stated, we are willing to accommodate CIBC's request to conduct depositions in Toronto if both depositions are conducted on consecutive days in order of Harrington's notices. If Mr. Persaud is unavailable on Thursday, June 6, please confirm whether Mr. Rashid is available instead. We can conduct Mr. Persaud's deposition on Friday June 7.



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Sent: Friday, May 17, 2024 5:57 PM
To: Ennis, Felicia <FEnnis@wbny.com>; Petts, Nicholas W. <nicholas.petts@dentons.com>;
Senderowitz, Stephen J. <stephen.senderowitz@dentons.com>; Storino, Timothy J.
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SYoung@KSLAW.com
Subject: RE: Harrington v. CIBC - CIBC Deposition Notices

Felicia –

We have worked to accommodate your scheduling requests but cannot make further adjustments to the schedule. These are the dates the witnesses and counsel are available.

Thank you,

Marilyn

Marilyn B. Rosen

Partner

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From: Ennis, Felicia <FEnnis@wbny.com>

Sent: Friday, May 17, 2024 4:33 PM

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Thanks Marilyn. We understand the scheduling challenges and we are also being accommodating by agreeing to conduct depositions in Toronto. However, we will need to conduct the depositions on consecutive days and in the order that they were noticed by Harrington. Since Mr. Rashid is available on June 5, please confirm whether Mr. Persaud is available on June 6 or provide alternate consecutive dates for the week of June 3rd. Thanks.

**Felicia Ennis | Partner
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Sent: Friday, May 17, 2024 4:00 PM
To: Ennis, Felicia <FFennis@wbny.com>; Petts, Nicholas W. <nicholas.petts@dentons.com>; Senderowitz, Stephen J. <stephen.senderowitz@dentons.com>; Storino, Timothy J. <timothy.storino@dentons.com>; Hauser, Sandra D. <sandra.hauser@dentons.com>
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Subject: RE: Harrington v. CIBC - CIBC Deposition Notices

Felicia,

Mr. Persaud's deposition can proceed on Monday, June 3, and Mr. Rashid's deposition on June 5, both in Toronto. Please confirm if these dates work for you.

We were attempting to be accommodating by providing a location for the deposition in Toronto. If you prefer to use a different space, feel free to do so.

Thank you,
Marilyn

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From: Ennis, Felicia <FFennis@wbny.com>
Sent: Thursday, May 16, 2024 5:45 PM

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Subject: RE: Harrington v. CIBC - CIBC Deposition Notices

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Marilyn:

Since Mr. Rashid is available on Wednesday, June 5, please let us know if Mr. Persaud is available on Thursday, June 6. We are not available on May 29. We also do not agree that if CIBC insists on depositions to be held in Toronto, Harrington is required to conduct them at Dentons' Toronto office. Please confirm the availability of CIBC's witnesses on these dates.

Regards,

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<TFilardo@wbny.com>; Marcucci, Matthew A. <MMarcucci@wbny.com>; Hallinan, Meghan <MHallinan@wbny.com>; Lynn, Branden <Blynn@wbny.com>; Manzolillo, Sandy <smanzolillo@wbny.com>; James W. (Wes) Christian (<jchristian@christianattarlaw.com> <jchristian@christianattarlaw.com>); Ardalan Attar <aattar@christianattarlaw.com>; Gregory J. Dubinsky <gdubinsky@hsqllp.com>; Andrew C. Indorf <aindorf@hsqllp.com>; Matthew Gurgel <mgurgel@hsqllp.com>; Abby F. Rudzin Esq. (<arudzin@omm.com> <arudzin@omm.com> <wmartin@omm.com>; dlesser@kslaw.com; jdycus@kslaw.com; Cchoi@Kslaw.com; SYoung@KSLAW.com

Subject: RE: Harrington v. CIBC - CIBC Deposition Notices

Felicia –

Mr. Persaud is available to be deposed on Wednesday, May 29. Mr. Rashid is available to be deposed on June 5. Both depositions will be at the Dentons Toronto office, 77 King Street W, Suite 400, Toronto.

CIBC does not agree that these depositions are “subject to” further document productions.

Please confirm that Harrington will proceed on these dates in Toronto.

Thank you,
Marilyn

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From: Ennis, Felicia <FEnnis@wbny.com>
Sent: Thursday, May 16, 2024 5:08 PM
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Cc: Pollack, Alan <APollack@wbny.com>; Thumim, Leron <lthumim@wbny.com>; Filardo, Thomas <TFilardo@wbny.com>; Marcucci, Matthew A. <MMarcucci@wbny.com>; Hallinan, Meghan <MHallinan@wbny.com>; Lynn, Branden <Blynn@wbny.com>; Manzolillo, Sandy <smanzolillo@wbny.com>; James W. (Wes) Christian (<jchristian@christianattarlaw.com> <jchristian@christianattarlaw.com>); Ardalan Attar <aattar@christianattarlaw.com>; Gregory J.

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Counsel:

Subject to CIBC's production of those documents referenced in Drew's earlier email and subject to any further court rulings, including the forthcoming motion for extension, Harrington would like to confirm the depositions of Sajjad Rashid on June 4, 2024 and Ron Persaud on June 5, 2024, both at Warshaw Burstein's office. Please advise.

Regards,



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